

**STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS
COUNTY OF NEWPORT**

The Town Council of the Town of Tiverton, County and State aforesaid held a Special Council Meeting on Wednesday, the 20th day of January 2016 at 7:00 p.m. at the Tiverton Town Hall, 343 Highland Ave.

MEMBERS PRESENT:

Councilor President deMedeiros, Vice-President Chabot, Councilor Lambert, Councilor Mello, Councilor Pelletier, Councilor Perry and Councilor Sousa.

Town Administrator Wojcik, Solicitor Anthony DeSisto and Tim Cavazza Labor Counsel were also present.

1. Call To Order

Council President deMedeiros called the meeting to order at approximately 7:00 p.m. with a pledge of allegiance to the flag. Roll call was taken.

1. Ratification of Firefighter IAFF Contract – July 1, 2015 through June 20, 2018

Attorney Cavazza informed Council there had been a contract in place ratified by tentative agreement since 4/30/15. A 3 year contract and several grievances were settled but there were still a few outstanding non-economic language issues that needed to be hammered out. Both Council and membership ratified agreement for 3 year contract and MOA of 10 to 15 items that would be discussed by end of year and incorporated into the contract. It was agreed would go back to Council to ratify changes. There was an attempt to do so, within pen stroke of agreement but fell through. Dust settled, negotiations resumed and we have been able to work out these final issues with assistance from Chief, Councilor Perry, Administrator, Council President, Labor Counsel and union leadership. Issues have been worked out and incorporated into previous ratified contract for ratification this evening.

One change was comp time that had been capped at 48 hours; now 72 straight time hours can accrue each fiscal year. End of year comp time all paid out on straight time at maximum of 72 hours or 48 overtime. There was some ambiguity as previously written. Administrator added key issue is there is a cap. When overtime budget reaches cap, strictly refer to Fair Labor Standard Act. Need to have worked 212 hours in the 28 day look back. Sick or vacation time is not counted.

Town achieved 2 firsts in the State of RI. A 3 platoon /24 hour shift rotation and acknowledgement in contract language of FLSA. If compare fiscal impact statement to budget document, total compensation this year is flat. Fiscal impact statement savings realized in in year 3 of contract will be back to 2014 level. Pretty extraordinary for union to agree and Council to ask.

Administrator continued with explanations on promotional testing for fire marshal position; again a lot of co-operation around table. Explicit set of criteria including classes pretty significant. Attorney Cavazza commented an entire promotional procedure all around worked out. Administrator added that is above and beyond the DeSisto report. Now taken next step. Fire marshal set so only person who could fill in would be state fire marshal. One full time salaried day staffer and not subject to overtime.

Some other changes include elimination of light duty provision, language with respect to transfers by Chief, elimination of 4th class salary, elimination of mutual aid call in or bird dog provision no backfill, health saving account when advanced and then leave owe money back to town through final pay check, prorating insurance amount to date of hiring, language to bids for positions, and came to agreement on use of taking leave in large blocks. Positions that generated grievances pretty much did away with.

Councilor Perry, gives the Chief more tools to run department and all written in contract. Ten or 12 language issues were cleaned up. All pending arbitrations have been settled and withdrawn.

Councilor Perry motioned to ratify the IAFF contract 7/15/2015 to 6/30/2018, seconded by Councilor Sousa. Motion passed unanimously.

2. Approval to Advertise for Firefighter Hiring List

Council President deMedeiros announced the retention and recruitment committee has been meeting and this was one of goals. Administrator has been meeting with representatives of union, Chief and members of Council to consider how can increase pool of potential candidates. Questioned if missing good applicants due to the way drafting job description and ads for employment. We hire EMT/C which is a more or less non-existent credential between a basic and a paramedic. Most other areas of the industry moving toward EMT paramedic or in volunteer groups EMT Basic. Not currently entertaining applications of EMT Basics. Discussed how long takes basic to bridge to cardiac certification. In a lot of surrounding communities most men in trucks are EMT basics and cannot apply to Tiverton. If suffer too many more losses of recruitment to other communities will be unable fill shifts. Not lessening standards of Town, would be expected during probationary term to meet the EMT/C credential. Should they fail to do so would be dismissed and not represented by union since probationary. Have some compromise on union leadership to be able to hire laterals and pay 1st class salary without priority to bid positions. When trucks go out will have a paramedic and a basic. Not as concerned with salaries, Town has well-funded pension and low co-pay on the insurance, etc. Schedule may not work with 48 hour shifts for some, but for others will work out.

Ad keeps open ended recruiting process until staffing needs are satisfied. Need to discuss with personnel board to take every few months or 6 or 7 applicants at a time. Councilor Sousa would like to reach out to veterans and National Guard. Administrator agreed and several will use several fire science programs and industry websites. Would like to run ad for few months before coming back to Council.

Councilor Chabot would like to see status of progress on monthly reports.

Councilor Perry motioned to approve advertising for firefighters, seconded by Councilor Pelletier. Motion passed unanimously.

In open session Councilor Lambert motioned to enter Executive Session seconded by Councilor Pelletier pursuant to 42-6-5(a)(1) – Performance Evaluation – Town Planner, Marc Rousseau. Motion passed unanimously on a roll call vote.

Council entered Executive Session at 7:50pm

CLOSED EXECUTIVE SESSION:

Personnel – Performance Evaluation – Town Planner Marc Rousseau

Council returned to Open Session at approximately 9:40 p.m.

OPEN SESSION:

In open session President deMedeiros announced no formal action was taken.

Councilor Pelletier motioned to seal the minutes of Closed Executive Session. Seconded by Councilor Perry, motion passed unanimously.

ADJOURNMENT:

Councilor Pelletier motioned to adjourn, seconded by Councilor Mello. The motion passed unanimously.

The meeting adjourned at 9:45 p.m.

A True Copy.

ATTEST:

Nancy L. Mello, Town Clerk